UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK RONALD W. BURKLE,

Plaintiff,

v.

OTK ASSOCIATES, LLC, a Delaware Limited Liability Company, JASON T. KALISMAN, MICHAEL E. OLSHAN, ANDREA L. OLSHAN, MAHMOOD KIIMJI, JONATHAN LANGER, PARAG VORA and JOHN T. DOUGHERTY,

Defendants.

Civil Action No. 13-cv-4557-LLS

## STIPULATION OF DISMISSAL WITH PREJUDICE

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for all parties who have appeared herein that, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the above-captioned action shall be, and hereby is, dismissed in its entirety with prejudice, with all rights of appeal waived, and with each party bearing its own costs, fees and disbursements.

By:

STIPULATED AND AGREED to this 26 day of August 2014:

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